

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In Re:

Robert Jablonski,

Debtor,

CASE NO.: 18-47111

Chapter 13

**NOTICE OF MOTION TO
PERMIT SALE OF REAL ESTATE**

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PLEASE TAKE NOTICE, that upon the annexed application of the debtor a Hearing will be held before the Honorable Chief Judge Carla E. Craig to permit the sale of real estate during a Chapter 13 and, pursuant to 11 U.S.C §363 and 1303 of the Bankruptcy Code and Bankruptcy Rule 6004, and for such other relief as to this Honorable Court may seem just and proper.

Date and time of hearing: May 1, 2019 at 10:00am

Location: United States Bankruptcy Court
Eastern District of New York
Conrad B. Duberstein Courthouse
271-C Cadman Plaza East – Courtroom 3529
Brooklyn, NY 11201

Dated: Woodbury New York
April 2, 2019

Hanin R. Shadood
Hanin R. Shadood, Esq.
Aronow Law, P.C.
20 Crossways Park Drive North, Suite 210
Woodbury, New York 11797

TO: Michael Macco, Standing Chapter 13
2950 Express Drive South
Suite 109
Islandia, NY 11749

Christine H. Black, Acting Assistant U.S. Trustee
Office of the United States Trustee
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014

SEE ATTACHED LIST

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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CASE NO.: 18-47111

Robert Jablonski,

Debtor

APPLICATION

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Robert Jablonski, the debtor herein (“Debtor”), by his attorney, Aronow Law, P.C.,
respectfully allege as follows:

1. On December 12, 2018, the Debtor filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code.
2. The Debtor’s initial 341 meeting was held on January 16, 2019 and closed on January 17, 2019.
3. Schedule A annexed to Debtor’s petition listed the Debtor’s interest in real property located at 15 Eden Court, Staten Island, NY 10307 (the “Premises”).
4. Schedule D of the Debtor’s Petition reflected that there is a mortgage encumbering the Premises servicing by Chase Bank for approximately \$419,000.00. Creditor’s Counsel filed an amended proof of claim on February 22, 2019 in the amount of \$571,043.83. *See ECF Doc. No. 5-2.*
5. The Debtor has decided to short sale the Premises and has a fully executed Contract of Sale and is being reviewed by the bank for approval. *See Exhibit A – Copy of the Contract of Sale.*
6. The Debtor is current on the Chapter 13 Payments; it is a 100% Plan; and intends on paying off all debts during the pendency of the five (5) years.
7. This is an arm’s length transaction that is being sold in good faith. The Buyer is not an insider or affiliated with the Debtor.

8. The Debtor requests that the Court waive the automatic stay and allow the debtor to sell the property so as to not delay the closing.

9. No prior application has been made to this Court.

WHEREFORE, the Debtor seeks the entry of an Order authorizing the sale of the property, together with such other and further relief as the Court may deem just, proper and equitable.

Dated: Woodbury New York
April 2, 2019

Hanin R. Shadood
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ORDER APPROVING SALE OF REAL ESTATE

The Debtor, Robert Jablonski, having moved this Court by Notice of Motion to Sell Real Estate dated April 2, 2019, for an Order pursuant to 11 U.S.C. § 363 and 1303 of the Bankruptcy Code and Bankruptcy Rule 6004, (the “Application”), authorizing the debtor to sell his interest in real estate; and due notice of said application having been given to the United States Trustee, the Chapter 13 Trustee and all the creditors, and the matter having been heard before the Court on May 1, 2019 at 10:00am; and Aronow Law, PC appearing in support of said motion and no one appearing in opposition thereto and after due deliberation and for cause; it is

ORDERED, that the motion is granted in all respects; and it is further,

ORDERED, that the debtor may sell her interest in the property located at 15 Eden Court, Staten Island, NY 10307, pursuant to the contract of sale as ***Exhibit “A”***; and it is further,

ORDERED, that the automatic stay is hereby waived.